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12 *Attorneys for Defendants Shopify Inc.,
13 Shopify Holdings (USA) Inc., and Shopify (USA) Inc.*

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16 **UNITED STATES DISTRICT COURT**
17 **CENTRAL DISTRICT OF CALIFORNIA**

18 MY CHOICE SOFTWARE, LLC, a California limited liability company,

19 Plaintiff,

20 vs.

21 TASKUS, INC. a Delaware Corporation;
22 TASSILO HEINRICH, an Individual;
23 SHOPIFY, INC.; SHOPIFY HOLDINGS
24 (USA), INC.; SHOPIFY (USA) INC.; and
25 DOES 1-50, Inclusive,

26 Defendants.

27 Case No. 8:22-cv-01710-DOC(DFMx)

28 **DECLARATION OF SARAH
HARRIS-JOHN IN SUPPORT OF
DEFENDANT SHOPIFY (USA)
INC.'S MOTION TO DISMISS**

DECLARATION OF SARAH HARRIS-JOHNSON

I, Sarah Harris-John, declare as follows:

1. I am employed by Shopify (USA) Inc. (“Shopify USA”), one of the Defendants in this action. My title is Paralegal, Litigation & Intellectual Property. The following facts are within my personal knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

2. At all times relevant to this action, Shopify USA has been a corporation organized and existing under the laws of the State of Delaware.

3. Shopify USA's principal address is in New York, New York. Since December 22, 2020, Seth Bressack has served as Shopify's USA Chief Executive Officer, Secretary, and Chief Financial Officer. Mr. Bressack primarily conducts his work for Shopify USA from New York.

4. During the times prior to December 22, 2020, that are relevant to this action, Shopify USA's officers were located in Ontario, Canada.

5. Shopify USA is a wholly owned subsidiary of Shopify Holdings (USA) Inc. (“Shopify Holdings”) which, in turn, is a wholly owned subsidiary of Shopify Inc.

6. Shopify Inc. provides software and infrastructure services through its platform for small and medium sized businesses to design, set up, and manage their own online stores. At all times relevant to this action, Shopify USA has provided and provides services and support to various aspects of Shopify Inc.'s platform, such as a messaging application that merchants can use to improve their customer service as well as providing support for shipping-related services.

7. However, Shopify USA does not itself enter into contracts or business relationships with any merchants for platform services, and accordingly has no contract or relationship with Plaintiff My Choice Software, LLC (“MCS”).

8. Shopify USA maintains financial statements, funds, and assets separate from those of Shopify Inc. and Shopify Holdings.

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2 I declare under penalty of perjury that the foregoing is true and correct.

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4 Executed on this 10th day of February, 2023, at Algonquin, Illinois.

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DocuSigned by:

Sarah Harris-John

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Sarah Harris-John